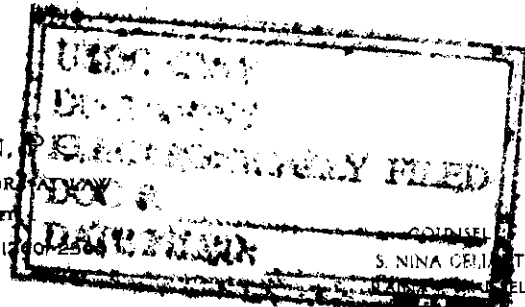


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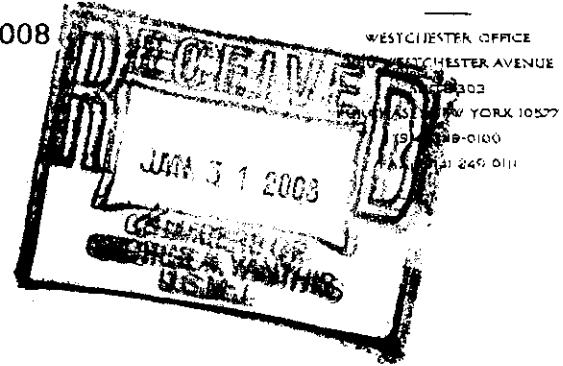


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January 31, 2008



VIA FACSIMILE - (914) 390-4095

Hon. George A. Yanthis
United States District Court
Southern District of New York
U.S. District Courthouse
300 Quarropas Street
White Plains, NY 10601

Re: Trustees of Bricklayers and Allied Craftworkers
Local 5 v. Carmody Defendants, et al.
07 CIV 7529 (KMK)(GAY)
Our File No. 26532.0931

Dear Judge Yanthis:

I have Mr. Pirrotti's letter to you dated January 30, 2008.

The law is clear that both members of the Union and non-members are entitled to have contributions and dues paid in on their behalf. Mr. Pirrotti does not dispute that nor does he say that his client has not employed non-union masons. It does however appear that Mr. Pirrotti's client may be trying to hide the fact that it employs non-union masons.

In any event, if the Court desires an affidavit with respect to Carmody's employment of non-union masons, I will make every effort to provide it to the Court in a timely manner.

Very truly yours,

GELLERT & KLEIN, P.C.

STEPHEN E. EHLERS

SEE/jcd

cc: Mr. Tony Placente (w/encl.)
Mr. Manuel Valente (w/encl.)
Alex Kuchis, CPA (w/encl.)
Anthony Pirrotti, Esq. **(VIA FACSIMILE - (914) 723-4838)**